



Massachusetts Bay Transportation Authority

Deval L. Patrick
Governor

Timothy P. Murray Lt.
Governor

Bernard Cohen
Secretary and MBTA Chairman

Daniel A. Grabauskas
General Manager

By Federal Express

July 13, 2007

Kevin Brander
Section Chief, Watershed Permitting Section
Watershed Permitting Section
MassDEP Northeast Region
205B Lowell Street
Wilmington, MA 01887

NPDES File
MA 0003590

Michelle Bardon
EPA New England – Region 1
One Congress Street, Suite 1100
Boston, MA 02114

Re: Administrative Consent Order
File No.: ACO-BO-07-6Y002-1N
Progress Report No. 1 (April 2007 – June 2007)

Dear Mr. Brandon and Ms. Bardon:

Pursuant to Section III (7)(E) of the above referenced Miller's River Administrative Consent Order (ACO), the MBTA provides the following update on progress of activities required under paragraph 7. This progress report covers the period of time from the signing of the ACO until July 15, 2007.

On April 25, 2007, the MBTA and the DEP executed the ACO. Paragraph 7 of the ACO requires a series of reports and/or assessments to be filed with the DEP as well as certain infrastructure improvements be made on various dates up through September 20, 2009.

The first of these requirements is for the MBTA to submit the following documents on or before September 1, 2007.

- i. Assessment and Remediation Plan
- ii. Oil/Water Separator and Pump Station Upgrade Plan
- iii. Manhole Modification Plan
- iv. Scope of work and schedule for an Area Drainage Study

MBTA has engaged a consultant to prepare each of the deliverables listed above. These work plans are currently being drafted for MBTA review and submission, and will be provided to MassDEP and EPA New England - Region 1 on or before September 1, 2007.

Additionally, on May 1, 2007, the MBTA released the Capital Investment Program FY2008 – FY2012. The CIP is a rolling five-year plan which lays out the capital spending program that the MBTA has funded. In this most recent CIP, the MBTA has programmed \$6.0 million for the Miller's River Outfall structure, with \$2.0 million available in fiscal year 2008 and the remaining \$4 million available in fiscal year 2009. The programmed availability of funds

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Massachusetts Bay Transportation Authority, Ten Park Plaza, Boston, MA 02116-3974

MassDEP Northeast Region
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corresponds to and enables the MBTA to successfully meet the milestone requirements of the ACO. A copy of the MBTA's CIP can be found at http://www.mbta.com/about_the_mbta/financials/?id=1052. At this point, the MBTA believes the \$6 million that is programmed is sufficient to perform the work of ACO. As the design of the project advances, the MBTA will develop new cost estimates based on a reasonable level of preliminary engineering to determine if additional funds are required.

As required in the ACO, this Progress Report must also include volume of daily flows pumped at the OWS-related pumps, noting the precipitation each day, and the dates and results of any sampling done to comply with the Surface Water Discharge Permit. That information is found on the two attached tables.

If you have any questions regarding this submittal, please feel free to contact me at 617-222-3126 or by email at abrennan@mbta.com.

Sincerely,



Andrew D. Brennan
Director of Environmental Affairs

Attachments: Sampling Data (2nd Quarter 2007)
Precipitation and Flow Data (2nd Quarter 2007)

cc: Maeve Bartlett, MBTA
Scott Darling, MBTA
Sean O'Brien, Malcolm Pirnie

PARAMETER	Permit Limit		Sample Date		
	Minimum	Maximum	4/13/2007	5/4/2007	6/1/2007
			Average/Range	Average/Range	Average/Range
Total Oil & Grease (mg/L)	N/A	15	ND/ND	ND/ND	ND/ND
Temperature (C)	N/A	N/A	8/8	11/11	15/15
pH (s.u)	6.5	8	6.7/6.7-6.7	6.5/6.5-6.5	6.6/6.6-6.6
Flow (MGD)	N/A	N/A	0.115	0.23	0.115

Table 2

Precipitation and Flow Data (2nd Quarter - 2007)
Administrative Consent Order File No.: ACO-BO-07-6Y002-1N

Massachusetts Bay Transportation Authority
Prison Point Bridge Oil Water Separator - Cambridge, Massachusetts

Date	Precipitation (inches)	Daily Flow (MGD)	Date	Precipitation (inches)	Daily Flow (MGD)	Date	Precipitation (inches)	Daily Flow (MGD)
-			May 1, 2007	0.08	0.230	June 1, 2007	0.13	0.115 (sampled)
-			May 2, 2007	0.08	0.230	June 2, 2007	0.02	0.115
-			May 3, 2007	0.00	0.230	June 3, 2007	0.00	0.115
-			May 4, 2007	0.00	0.23 (sampled)	June 4, 2007	0.40	0.115
-			May 5, 2007	0.00	0.230	June 5, 2007	1.17	0.115
-			May 6, 2007	0.00	0.230	June 6, 2007	0.00	0.115
-			May 7, 2007	0.00	0.230	June 7, 2007	0.00	0.115
-			May 8, 2007	0.00	0.230	June 8, 2007	0.00	0.115
-			May 9, 2007	0.00	0.115	June 9, 2007	0.00	0.115
-			May 10, 2007	0.00	0.230	June 10, 2007	0.00	0.115
-			May 11, 2007	0.00	0.230	June 11, 2007	0.00	0.115
-			May 12, 2007	0.07	0.115	June 12, 2007	0.07	0.115
April 13, 2007		sampled	May 13, 2007	0.00	0.115	June 13, 2007	0.01	0.115
-			May 14, 2007	0.00	0.115	June 14, 2007	0.00	0.115
-			May 15, 2007	0.01	0.115	June 15, 2007	0.00	0.115
-			May 16, 2007	0.00	0.115	June 16, 2007	0.00	0.115
-			May 17, 2007	0.79	0.115	June 17, 2007	0.00	0.115
-			May 18, 2007	0.49	0.115	June 18, 2007	0.02	0.115
-			May 19, 2007	1.46	0.115	June 19, 2007	0.00	0.115
-			May 20, 2007	0.23	0.115	June 20, 2007	0.00	0.115
-			May 21, 2007	0.49	0.115	June 21, 2007	0.16	0.115
-			May 22, 2007	0.00	0.115	June 22, 2007	0.09	0.115
-			May 23, 2007	0.00	0.115	June 23, 2007	0.03	0.115
-			May 24, 2007	0.00	0.115	June 24, 2007	0.00	0.115
April 25, 2007	0.00	0.115	May 25, 2007	0.00	0.115	June 25, 2007	0.00	0.115
April 26, 2007	0.17	0.115	May 26, 2007	0.00	0.115	June 26, 2007	0.00	0.115
April 27, 2007	0.52	0.230	May 27, 2007	0.00	0.115	June 27, 2007	0.00	0.115
April 28, 2007	0.54	0.115	May 28, 2007	0.00	0.115	June 28, 2007	0.00	0.115
April 29, 2007	0.43	0.230	May 29, 2007	0.00	0.115	June 29, 2007	0.02	0.115
April 30, 2007	0.00	0.115	May 30, 2007	0.00	0.115	June 30, 2007	0.00	0.115
			May 31, 2007	0.00	0.115			

Notes:

1. Daily precipitation data were derived from NOAA's Hydrometeorological Automated Data System (HADS) for Boston, Massachusetts.
2. Flow data is estimated for April through June 2007.



File

JAN 24 2007

CITY OF SOMERVILLE, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

JOSEPH A. CURTATONE
MAYOR

STAN KOTY
Commissioner

RICK WILLETTE
Director of Operations

January 17, 2007

U.S. EPA – Mr. Brian Pitt
1 Congress Street
Suite 1100
Boston, MA 02114-2023

RE: NPDES Permit No. MA0003590
MBTA Commuter Rail Maintenance Facility
70R Third Avenue, Somerville, MA

Dear Mr. Pitt:

I have reviewed the City of Somerville's responsibilities regarding the above NPDES permit and find no objections or issues and agree to supply the pertinent information and perform the required sampling as needed.

My primary reason for writing and quite frankly more importantly from the City's perspective, is the question of drainage in East Somerville. At the present time, all the drainage from the combined sewerage system in this area is discharged to the M.W.R.A. trunk sewer. The city has blocked off and abandoned the combined sewer overflow at this location. This abandoned CSO once flowed to the drainage system that is the subject of this permit. The reason the City abandoned this CSO was the fact that it wasn't functioning as a drainage conveyance system but that storm water drainage from the Inner Beit Industrial Park, which is a separate storm flow, was not being conveyed by the M.B.T.A.'s drainage system to the Miller's River but all flow was being sent backwards up the CSO and into the City's connection with the M.W.R.A.'s trunk sewer. The MBTA's drainage system, identified as "*the old stone culvert*" on existing plans, was not and is not functioning in a proper manner. This "*old stone culvert*" was originally built by the B & M Railroad to accommodate an existing brook that meandered through their rail yards and to receive drainage from the railroad's tracks and yards, the ultimate point of discharge of this culvert being Miller's River. The B & M received permits from the state to fill-in parts of the Miller's River to form rail yards and tracks and as part of the condition of the permits it was their responsibility to maintain drainage from Somerville to the



Miller's River. It is the city's contention that this condition has not been met.

In the 1960's the B & M Railroad sold large areas of land in Somerville that became commonly known as the Inner Belt Industrial Park. The Railroad permitted the Developer to connect the storm drainage from the Park to their " *old stone culvert* " just off of what is now called Inner Belt Road, adjacent to the Somerville City Club. It is this culvert that does not function. The rest of the MBTA's drainage system in and around the Commuter Rail Maintenance Facility and the 3-48" conduits do not function and are reportedly full of silt.

Back in 1990 when the MBTA's CRMF was being proposed, the T proposed to replace this old, non-functioning drainage system with a new, modern system to handle the flows from the CRMF as well as track drainage in Somerville from the Fitchburg line tracks and the New Hampshire Mainline tracks. This drainage plan was included in the MBTA's E.N.F. at that time. **This drainage system was never built.** As a consequence the Industrial Park area has flooding problems and the City has no positive outlet to the Miller's River for drainage.

The City therefore requests that the original drainage plans, or similar, that the MBTA proposed in 1990 be installed. This would allow the area to be a safe and viable neighborhood and commercial center.

Sincerely yours,



Charles E. O'Brien, P.E.
City Engineer

Cc: Joseph A. Curtatone, Mayor,
Stan Koty, DPW
John Gannon, City Solicitor
Somerville Bd. Of Aldermen
Peter Mills, OSPCD
Vithal Deshpande, Environmental Dir.